

REMARKS

Claim 7 has been amended to correct a typographical error as requested by the Examiner. Claims 4, 12-15, 32-34 and 36-39 have been amended to correct a typographical error from a previous amendment. Claims 6 and 35 have been amended. No claims have been added or cancelled with this reply. Therefore, Claims 3-10, 12-15 and 32-39 are currently pending.

A. Objection to the Claims

The Examiner has objected to claim 7 because a word was inadvertently deleted in the last Response. Assignee thanks the Examiner for identifying this typo. The typo has been appropriately corrected in this Response. Assignee respectfully requests the Examiner withdraw this objection.

B. Prior Art Rejections

In responding to the Examiner's prior art rejections, Assignee here only justifies the patentability of the independent claims (*i.e.*, claims 6, 7 and 35). As the Examiner will appreciate, should these independent claims be patentable over the prior art, dependent claims would also necessarily be patentable. Accordingly, Assignee does not separately discuss the patentability of the dependent claims, although Assignee reserves the right to do so.

1. Section 102 Rejections

The Examiner has rejected independent claim 7 as allegedly being anticipated under 35 U.S.C. 102(e) by US Patent No. 5,995,608 to Detample, Jr. et al. (Detample).

Detample is directed to "An on-demand teleconferencing system and method for setting up an on-demand conference call in a telecommunications system having the Advanced Information Network (AIN) architecture with system signaling the number 7 (SS7) and a Public Switched Telephone Network (PSTN). A subscriber is assigned an

on-demand conference call number. When that number is dialed into the PSTN, it is identified by the PSTN that the dialed number requires handling by the SS7. The SS7 links the dialed number to a conference allocation and control system (CACS) which is connected to a plurality of scalable bridge servers. The CACS selects bridge servers available to handle the conference call and based upon a selection criteria such as a peak load sets up the on-demand conference call in one of the selected bridge servers." Detample at Abstract.

Furthermore, one of the requirements of Detample is "[p]rior to a conference, the subscriber must choose a PIN for the conference and distribute the PIN and the unique on-demand access number to the participants." Detample ¶ 64. This requirement for distributing a PIN clearly indicates that participants of a conference must have been notified ahead of time. Detample is silent as to any kind of capability for participants involved in a conference to direct the MCU to "initiate a call request" and add another participant.

Detample is directed to circuit switched networks. In contrast, the instant claims are directed to packet-switched networks.

Additionally, the Examiner interprets the bridge server 101a-101n of Detample as anticipating the multipoint control unit (MCU) as recited in claim 7. Office Action dated 13 March, 2008 at p. 17. But even if the bridge server 101a-101n is considered to be an MCU, Detample is silent as to the bridge server 101a-101n being able to "initiate a call request" and "establish[ing] a point-to-point call *from* said multipoint control unit *to* said additional endpoint ... thereby bringing said additional endpoint into said audio conference" as expressly recited in claim 7. Stated another way, claim 7 allows for a conference participant to initiate an *outbound* call to an additional endpoint (*i.e.*, another phone number) via the MCU and thereby add the new endpoint to the audio conference. Detample connects *inbound* calls to an available bridge server.

In responding to Assignee's previous remarks the Examiner states "the presented claim language does not specifically show what type of network is being utilized by the multip[oint] control units (*i.e.* not limited to non-SS7 networks)." Office Action dated

29 October, 2008 at p. 19. However, the claim language of claim 7 clearly states that the network is "purely packet-switched" and thus is in fact distinguished from the circuit switched PSTN disclosed in Detample. Further, Assignee reiterates that Detample only discloses "dynamically rout[ing] *incoming conference calls.*" Detample at Col. 3 In 34 (emphasis added).

Because Detample does not disclose each and every claim element, Detample cannot anticipate independent claim 7. Accordingly, Assignee respectfully requests that the Examiner withdraw this rejection and pass independent claim 7 to allowance. For at least the same reasons, claims 3 and 12, each of which depends from independent claim 7 are allowable over Detample. Such action is respectfully requested.

2. Section 103 Rejections

The Examiner has rejected claims 6 and 32-37 as allegedly being unpatentable under 35 U.S.C. 103(a) over Detample in view of US Patent 6,122,364 to Petrunka (Petrunka). Office Action dated 29 October 2008 at p. 6.

Claims 6 and 35 have been amended to recite "a packet-switched audio conferencing system." As stated above, Detample discloses an on demand conferencing system that utilizes the *circuit switched* PSTN. This is evident at least from Figs. 1 and 2. As explained in Detample, "[t]he conferencing system consists of a plurality of bridge servers **101** that physically connect to the **conventional Public Switched Telephone Network (PSTN) 102** ... [e]ach bridge server **101** is connected to the PSTN **102** via a conventional telecommunications channels **202**." Detample at Col. 4 Ins 42-54 (emphasis added). Because neither Detample nor Petrunka either alone or in combination disclose the "purely-packet switched audio conferencing system" recited in amended claims 6 and 35 they cannot render independent claims 6 or 35 obvious.

The Examiner has rejected claims 4-5 as allegedly being unpatentable under 35 U.S.C. 103(a) over Detample in view of US Patent 6,421,339 to Thomas (Thomas). Office Action dated 29 October 2008 at p. 11.

Each of these claims depend from an independent claim discussed above and are patentable over the cited art for at least the same reasons as their corresponding independent claim. Assignee respectfully requests the Examiner withdraw this rejection.

The Examiner has rejected claims 8-10 as allegedly being unpatentable under 35 U.S.C. 103(a) over Detample in view of US Patent 5,978,463 to Jurkevics et al. (Jurkevics). Office Action dated 29 October 2008 at p. 12.

Each of these claims depend from an independent claim discussed above and are patentable over the cited art for at least the same reasons as their corresponding independent claim. Assignee respectfully requests the Examiner withdraw this rejection.

The Examiner has rejected claims 13-14 as allegedly being unpatentable under 35 U.S.C. 103(a) over Detample in view of US Patent 5,680,392 to Semaan (Semaan). Office Action dated 29 October 2008 at p. 13.

Each of these claims depend from an independent claim discussed above and are patentable over the cited art for at least the same reasons as their corresponding independent claim. Assignee respectfully requests the Examiner withdraw this rejection.

The Examiner has rejected claim 15 as allegedly being unpatentable under 35 U.S.C. 103(a) over Detample in view of Semaan further in view of US Patent Publication 2005/0165894 to Rosenberg et al. (Rosenberg). Office Action dated 29 October 2008 at p. 15.

Each of these claims depend from an independent claim discussed above and are patentable over the cited art for at least the same reasons as their corresponding independent claim. Assignee respectfully requests the Examiner withdraw this rejection.

The Examiner has rejected claims 38-39 as allegedly being unpatentable under 35 U.S.C. 103(a) over Detample in view of Petrunka further in view of Semaan. Office Action dated 29 October 2008 at p. 17.

CONCLUSIONS

This paper is intended to be a complete response to the above-identified Office Action. It is believed that no fees are due with this reply. However, the Commissioner is authorized to deduct any necessary charges from Deposit Account: 501922/199-0248US-C.

Reconsideration of pending claims 3-10, 12-15 and 32-39 in light of the above remarks is respectfully requested. If, after considering this reply, the Examiner believes that a telephone conference would be beneficial towards advancing this case to allowance, the Examiner is strongly encouraged to contact the undersigned attorney at the number listed.

Respectfully submitted,

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